



## Agenda Report

18-1468

Agenda Date: 12/11/2018

### REPORT TO COUNCIL

#### SUBJECT

Action on Amendment No. 3 to the Agreement with the City of San Jose for Materials Testing Services

#### BACKGROUND

On May 13, 2014, City Council approved an Agreement for Materials Testing, Pavement Design, and Log of Boring Services with the City of San Jose (Attachment 1). The Agreement has provided the City of Santa Clara with needed support for construction materials testing and laboratory services. The San Jose Materials Testing Lab is certified by the State of California and provides various testing services for City of Santa Clara construction projects. These testing services help to validate the quality of the materials and construction being provided by contractors on City projects. Under this agreement, tests are performed on a variety of materials including asphalt, concrete, soils, and aggregate base. The San Jose Materials Testing Lab also provides the following services: 1) pavement design, which includes analysis of existing pavement structure condition, and determination of new aggregate base and pavement depths to accommodate anticipated traffic loads; and 2) log of boring services which includes drilling and retrieval of soil cores, analysis of soil core samples, and characterization of soil types to support the design of pavements and structures.

City Council approved the First Amendment to the Agreement (Attachment 2) on December 15, 2015, which extended the termination date from December 31, 2015 to December 31, 2017. The First Amendment also updated the fee schedule, but maintained the original agreement amount of \$150,000. On August 29, 2017, City Council approved the Second Amendment to the Agreement (Attachment 2) that extended the termination date from December 31, 2017 to December 31, 2018, updated the fee schedule, and increased the maximum compensation amount from \$150,000 to \$250,000.

#### DISCUSSION

The proposed Third Amendment to the Agreement (Attachment 3) extends the termination date from December 31, 2018 to December 31, 2020 and updates the fee schedule. No compensation increase is included since the Agreement has funding of approximately \$114,000 remaining. Approval of the amendment will allow the City to continue to use the City of San Jose Lab to validate the quality of materials and construction being provided by contractors for Public Works construction projects. Some current and future projects that are anticipated to utilize the lab services include the Reed Street - Grant Street Youth Sports Park and 2019 Pavement Rehabilitation projects.

#### ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably

foreseeable indirect physical change in the environment.

**FISCAL IMPACT**

There is no additional cost to the City other than administrative staff time and expense.

**COORDINATION**

This report has been coordinated with the Finance Department and City Attorney's Office.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

1. Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement for Materials Testing Services with the City of San Jose; and
2. Authorize the City Manager to make minor modifications to the Amendment and execute any and all associated documents; and
3. Authorize the City Manager to execute future amendments to the Agreement only to extend the termination date and revise the fee schedule.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Agreement for Materials Testing Services with the City of San Jose
2. Amendment No. 1 to the Agreement for Materials Testing Services with the City of San Jose
3. Amendment No. 2 to the Agreement for Materials Testing Services with the City of San Jose
4. Amendment No. 3 to the Agreement for Materials Testing Services with the City of San Jose